

UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

IN RE:
Yovany Padilla

CHAPTER 13
CASE NO. 10-12928-ANV

OBJECTION TO DEBTOR'S CHAPTER 13 PLAN

Now Comes PNC Bank, N.A. successor by merger to National City Bank, successor in interest by operation of law to National City Real Estate Servies, LLC, s/b/m to National City Mortgage, Inc. f/k/a National City Mortgage Co. ("PNC Bank, N.A.") and files its objection to the Debtor's Chapter 13 Plan. In support of its objection, PNC Bank, N.A. states as follows:

1. PNC Bank, N.A. is the holder of the first mortgage on the debtor's property located at 132 -134 Hendricks Street, Central Falls, RI and an adjacent vacant lot in Lincoln, RI, Central Falls, RI 02863.
2. The mortgage is in default with a total debt of \$ 19,036.71 and a total debt in amount of \$ 235,211.45 according to PNC Bank, N.A.'s filed Proof of Claim.
3. The debtor's Chapter 13 Plan attempts to modify PNC Bank, N.A.'s secured claim by reducing the principal balance to \$132,000.00, the alleged fair market value of the property.
4. PNC Bank, N.A objects to the market value offered by the debtor and reserves the right to conduct a full appraisal of the property which would require interior access to the premises.

WHEREFORE, PNC Bank, N.A respectfully requests that the Court deny confirmation of the debtor's Chapter 13 Plan or for such other relief as the Court deems just and proper.

PNC Bank, N.A
Respectfully submitted,
/s/ Elizabeth A. Lonardo
Elizabeth A. Lonardo, Esquire
RI# 7714
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Dated: September 7 , 2010

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CERTIFICATE OF SERVICE

I, Elizabeth A. Lonardo, Esquire , state that on September 7, 2010, I electronically filed the foregoing Objection to Plan with the United States Bankruptcy Court for the District of Rhode Island using the CM/ECF System. I served the foregoing document on the following CM/ECF participants:

Office of the US Trustee
John Boyajian, Esquire, Chapter 13 Trustee
John Ennis, Esquire for the Debtor

I certify that I have mailed by first class mail, postage prepaid the documents electronically filed with the Court on the following non CM/ECF participants:

/s/ Elizabeth A. Lonardo
Elizabeth A. Lonardo, Esquire
RI# 7714

Yovany Padilla
132 Hendricks Street
Central Falls, RI 02863

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